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(Please see signature page for complete list of all parties represented)

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA and )  
PEOPLE OF THE STATE OF CALIFORNIA )  
by and through CALIFORNIA REGIONAL )  
WATER QUALITY CONTROL BOARD, )  
SAN FRANCISCO BAY REGION, )  
Plaintiffs, )  
v. )  
CITY AND COUNTY OF SAN FRANCISCO, )  
Defendant. )

Case No: 3:24-cv-02594-AMO

**JOINT STATUS REPORT ON  
ADR PROCESS AND STIPULATION  
TO EXTEND STAY OF LITIGATION  
DEADLINES**

Hon. Araceli Martinez-Olguin

JOINT STATUS REPORT ON ADR  
PROCESS AND STIPULATION TO EXTEND  
STAY OF LITIGATION DEADLINES  
Case No. 3:24-cv-02594-AMO

**JOINT STATUS REPORT ON ADR PROCESS AND STIPULATION TO EXTEND  
STAY OF LITIGATION DEADLINES**

On April 14, 2025, the Court entered the Parties’ – Plaintiff United States of America (“United States”), Plaintiff People of the State of California by and through the California Regional Water Quality Control Board, San Francisco Bay Region (the “Regional Water Board”), Plaintiff-Intervenor San Francisco Baykeeper (“Baykeeper”), and Defendant City and County of San Francisco (“City” or “Defendant”) – Joint Stipulation and Order Extending Stay of Litigation Deadlines through October 31, 2025. ECF No. 34. The Order directs the Parties to file a joint status report by October 31, 2025, advising the Court of the status of their efforts to resolve this matter through private mediation. *Id.* The Court later extended that deadline to December 15, 2025, following the lapse in appropriations to the U.S. Department of Justice. ECF No. 39. The Parties’ joint response summarizing the mediation timeline and efforts to date is respectfully submitted below.

**Current Status of the Mediation and Settlement Efforts**

Since the last status report was filed on April 9, 2025, the Parties held mediation sessions on June 4, 2025, June 26, 2025, July 8, 2025, and August 26, 2025, as well as additional settlement meetings. The Parties have also exchanged proposed settlement offers encompassing different areas of injunctive relief to resolve the Plaintiffs’ shared claims. The Government Plaintiffs and Defendant did not exchange settlement offers during the period covered by the Court’s order staying deadlines due to the lapse of federal appropriations. See ECF No. 37. Most recently, between November 25, 2025, and December 8, 2025, Defendant responded to Plaintiffs’ September 12, 2025 and September 25, 2025 offers, and updated Defendant’s separate September 26, 2025 offer. The Parties plan to schedule a settlement meeting shortly to discuss those offers. The Parties are making progress on resolving the shared claims of the Government Plaintiffs and Plaintiff-Intervenor and ask the Court to continue the stay so the Parties may continue efforts to resolve the claims without further litigation.

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Baykeeper and Defendant held mediation sessions on November 12, 2025 and December 8, 2025 to resolve Baykeeper's claims it does not share with the Government Plaintiffs. The Parties exchanged term sheets on November 14, 2025, November 25, 2025, and December 10, 2025. The Parties are exchanging additional information.

### **Stay of Litigation Deadlines**

Counsel for the Parties have met and conferred and jointly request that the Court continue to stay litigation deadlines in this matter to allow the Parties to continue settlement discussions for another four months, as per the attached proposed order and the Parties' stipulation. The Parties stipulate as follows:

1. The Parties request that all Case Management Conferences be deferred and any otherwise applicable deadlines, including deadlines under Rules 12, 16, and 26 of the Federal Rules of Civil Procedure, be stayed through April 15, 2026.

2. The Parties shall submit a joint status report by April 15, 2026, advising the Court of the status of their efforts to resolve this matter without further litigation.

3. If any Party withdraws from the mediation process prior to April 15, 2026, the Parties shall notify the Court within ten days of receiving written notice of withdrawal, and simultaneously request the Court schedule a Case Management Conference and re-instate any deadlines set under Civil L.R. 16-2(a).

4. Defendant shall answer or otherwise respond to the Complaint and Complaint-in-Intervention filed in this action under Rule 12 by no later than 21 days after any Party withdraws from the mediation process or May 6, 2026, whichever is earlier.

5. The Parties agree that Confidentiality terms of the Court's June 3, 2024 Order (ECF No. 26) shall continue to govern such discussions.

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Respectfully submitted,

Dated: December 15, 2025

FOR PLAINTIFF THE UNITED STATES OF  
AMERICA

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**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatories above.

s/ Sheila McAnaney  
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